

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

PATRICIO LUCERO,

Plaintiff,

v.

No. CV 17-1043 RB/CG

NEW MEXICO DEPARTMENT
OF CORRECTIONS, et al,

Defendants.

ORDER GRANTING LEAVE TO PROCEED PURSUANT TO 28 U.S.C. § 1915(b)

THIS MATTER is before the Court on Plaintiff's *Application for Free Process and Affidavit of Indigency*, (Doc. 7), filed November 27, 2017. Because the Court grants the application, the filing fee for this civil rights complaint is \$350.00. Based on the information about Plaintiff's financial status, the Court will waive an initial partial payment pursuant to § 1915(b)(1). Plaintiff is still required to pay the full amount of the filing fee pursuant to § 1915(b)(1). Failure to comply with this order may result in dismissal of the complaint without further notice.

IT IS THEREFORE ORDERED that Plaintiff's *Application for Free Process and Affidavit of Indigency*, (Doc. 7), is **GRANTED**, and the initial payment is **WAIVED**.

IT IS FURTHER ORDERED that Plaintiff file monthly financial certificates and make monthly payments of twenty percent (20%) of the preceding month's income credited to his account until the fee is paid or show cause why the payment should be excused; and the Clerk is directed to provide Plaintiff with two copies of the post-filing financial certificate.



THE HONORABLE CARMEN E. GARZA
CHIEF UNITED STATES MAGISTRATE JUDGE